

## **REMARKS/ARGUMENTS**

### **Amendments to Drawings**

In amended Figure 6, the figure has been corrected to agree with the description.

### **Status of Claims**

Claims 1-100 remain.

In the Official Action it was not identified why claims 41 to 43, 68 and 90 were rejected. It appears that the Examiner may have intended claim 68 to be rejected as being anticipated by U.S. Patent 6,522,633 (Strawczynski) instead of claim 69, as identified in the Claim Rejections – 35 USC 102 section under item 2.

Claim 63 has been rejected based on anticipation having regard to Strawczynski. An explanation of the rejection is supplied by the Examiner in item 2 of the Claims Rejections-35 USC 102 section. The explanation of the rejection does not seem to agree with the subject matter of claim 63. In addition, claim 63 is dependent on claim 62, which the Examiner is rejecting based on obviousness having regard to Strawczynski and in view of U.S. Patent No. 6,466,550 (Foster). If the rejection of claim 63 is deemed valid for the original reason as cited by the Examiner, it is respectfully requested that the Examiner please contact James McGraw at (613) 232-2486 to clarify the rejection and allow an opportunity for amendment.

Claims 1, 22, 23, 44, 46, 65, 66, 89 and 97-99 have been amended to include language that denotes the media data packet contains packet overhead in addition to the compressed media signal and removal of the packet overhead.

In claims 98 and 99 the expression “defining a first compressed media signal” has been amended to be “comprising at least one first compressed media signal” to properly reflect the plurality of the first compressed media signal.

Claim 100 has been amended to correct the expression “each first media data packet defining a first compressed media signal” to be “each first media data packet defining at least one first compressed media signal” and the expression “perform initial processing of the received” to be “perform initial processing of the at least one received”.

### **Amendments to Claims**

#### **35 U.S.C 102 Claim Rejections**

The Examiner has rejected claims 1-5, 7-12, 22-27, 29-34, 44-47, 49-53, 63, 65, 66, 69, 89, 91-94 and 96-99 under 35 U.S.C. 102 as being anticipated in view of Strawczynski (U.S. Patent No. 6,522,633 ).

Strawczynski teaches a conferencing bridge apparatus for receiving signals at a conference bridge from a plurality of input communication paths of which at least two are associated with low bit rate voice signals, means for estimating the signal energy in each of said input paths and means for comparing this signal energy estimate in each signal path against a predetermined threshold, and means responsive to the signal estimating and comparing means for forwarding the low bit rate voice signal from one or more of said input communication paths to one or more output communications paths, each output communications path associated with an incoming low bit rate voice signal.

The Examiner suggests that the conference bridge of the Applicant is disclosed by Strawczynski as reference 572 in Figure 6. The Examiner compares the receiver that is capable of being coupled to a network as recited by the Applicant to reference 542 in Figure 6 of Strawczynski. The Examiner further suggests the energy detection and talker selection unit of the Applicant is disclosed by Strawczynski as references 538 and 542 in Figure 6, respectively. The Examiner states that Strawczynski teaches at least two media sources forming a media conference as references 506 and 507. It is respectfully noted that the Examiner has incorrectly

related the above-identified components taught by Strawczynski to those recited by the Applicant. Figure 5 is a general arrangement of a second embodiment of Strawczynski where reference 436 is the conference unit. Figure 6 is a detailed view of the conference unit according to a second embodiment of Strawczynski. Therefore, it is inappropriate to compare reference 572 in Figure 6 to the Applicant's conference bridge, reference 436 of Figure 5 would be a more appropriate choice. The Examiner has also incorrectly compared the Selector Input Circuit 542 of Strawczynski to both the talker selection unit and the receiver of the conference bridge recited by the Applicant. Selector Input Circuit 542 is a talker selection unit for PSTN signals, not for LBR signals. Selector Input Circuit 542 is used for receiving PCM signals from a PSTN network, not LBR signals. Selector Input Circuit 540 would be a more appropriate choice in either case. In a similar manner, references 506 and 507 are PSTN participants with PCM signals, not LBR encoded signals. Therefore, references 502 and 503 would be more appropriate choices for the at least two media sources forming a media conference.

Claim 1 has been amended to recite a conference bridge, comprising a receiver capable of being coupled to a network, said receiver to receive at least one media data packet from at least two sources forming a media conference, each media data packet comprising a compressed media signal and packet overhead, wherein the receiver removes the overhead; an energy detection and talker selection unit coupled to said receiver to determine at least one speech parameter corresponding to each of the compressed media signals and select a set of the sources within the media conference as talkers based on the determined speech parameters. The addition of reciting the media data packet is comprised of a compressed media signal as well as packet overhead and that the receiver removes the packet overhead is supported by the description on page 15, lines 14 to 20 and Figure 5.

On page 11, paragraph 8, of the Office Action, the Examiner states that "Strawczynski failed to disclose the removal of packet overhead" from the media data packet. Therefore, the inclusion of this additional subject matter in amended claim 1 should overcome the anticipation objection raised by the Examiner.

Based on the amended language of claim 1 and the differences discussed above it is respectfully requested that the Examiner withdraw the anticipation objection.

Claims 2-5 and 7-12 are dependent upon amended claim 1 or intervening claims dependent upon claim 1, and as such should be allowable.

Claims 22, 23, 44, 65, 66, 89 and 97-99 have been amended to recite the removal of packet overhead. For the same reasons described above with respect to claim 1 these claims should now overcome the Examiner's objection.

Claims 24-27 and 29-34 are dependent upon amended claim 23 or intervening claims dependent upon claim 23, and as such should be allowable.

Claims 45-47 and 49-53 are dependent upon amended claim 44 or intervening claims dependent upon claim 44, and as such should be allowable.

Claim 63 is being left in its original state in the hope that the Examiner will allow future amendment, if required, once the status of the rejection is clarified.

With respect to claim 69, it is believed the Examiner intended to reject claim 68 instead, which refers to the media data packet being an audio data packet and the compressed media signals being compressed audio signals. However, based on the fact that claim 68 is dependent on claim 67 and claim 67 as originally filed recites removal of the packet header by the receiver, which the Examiner has stated is not taught by Strawczynski, this claim should be allowable. If the Examiner did in fact intend to reject claim 69, claim 69 is also dependent on claim 67 and should still be allowable.


Claims 91-94 and 96 are dependent upon amended claim 89 and as such should be allowable.

### 35 U.S.C 103 Claim Rejections

The Examiner has rejected claims 6, 13-21, 28, 35-40, 48, 54-62, 64, 67, 69-88, 95, 97 and 100 under 35 U.S.C. 103 as being unpatentable over Strawczynski in view of various other references. Based on section 706.02(l)(1) in the Manual of Patent Examining Procedure (MPEP), Strawczynski cannot be cited as prior art in a 35 U.S.C. 103 obviousness rejection via 35 U.S.C. 102(e) as both the Strawczynski patent and the current application are assigned to the same Applicant, that being Nortel Networks Limited. A title document establishing the name change of Nortel Networks Corporation (in the case of Strawczynski) to Nortel Networks Limited was filed with the USPTO on August 30, 2000. Therefore, the various obviousness rejections are moot in view of 706.02(l)(1) and claims 6, 13-21, 28, 35-40, 48, 54-62, 64, 67, 69-88, 95, 97 and 100 should be allowable.

In view of the forgoing, early favorable consideration of this application is earnestly solicited.

Respectfully submitted,

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JMC:MSS:plm